Single Bench

CF 1002

(2) (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO. 4900 /2006

PETITIONER :

Ashok Kumar Baghel

S/o Late Shri Moolchand Baghel

Age about 41 years, Asstt. Teacher

Govt. Primary School Khaparikala

Block-Tilda, Distt- Raipur (C.G.)

P.R. No. 4926/06
Presented by Shri SK Verma
dated 5/9/06

VERSUS

RESPONDENT :

1. **State Govt. of Chhattisgarh**
   Through Secretary, School Education
   Department Ministry,
   D.K.S. Bhawan Raipur (C.G.)
2. **District Education Officer**
   Raipur (C.G.)
3. Block Education Officer
   Block - Tilda, Disstt.-Raipur (C.G.)

RE[illegible]ED-COPY
3/8/06
CLE[illegible] A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(21)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 4900 of 2006

Petitioner : Ashok Kumar Baghel

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioner.

Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

ORDER

(7th September, 2006)

1. Learned counsel appearing for the petitioner submits that while working as Assistant Teacher, the petitioner has gone on training to improve his qualifications on his own expenses and acquired B. Ed. Examination Certificate on 2.9.1995.

2. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (2006 (II) MPJR-CG 96). This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed.

(22)

Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 (Annexure P/1) issued by the State Government of Madhya Pradesh

3. Learned counsel for the petitioner further submits that the facts and question of law involve in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner, subject to verification as to whether the petitioner has acquired B. Ed. Examination Certificate on his own expenses or not.

4. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra). No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu